

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

DOCKET NO. 2002-265

JULY 9, 2002

KENNEBUNK, KENNEBUNKPORT AND WELLS
WATER DISTRICT

ORDER

Proposed Tariff Revision to Change the Method to
Calculate Charges for Sprinkler Systems

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

SUMMARY OF ORDER

We approve the Kennebunk, Kennebunkport and Wells Water District (District) revised rate sheets for private fire protection charges filed on May 20, 2002. The revised rates will produce approximately \$9,900 less revenue than the existing rates.

BACKGROUND

On May 20, 2002, the District filed with the Commission its request for the approval of its proposed rate sheets for private fire protection service. The District currently bases the charge for private fire protection services on the diameter of the fire service at the point where it connects to the District's water main. The District believes that, although not totally correct hydraulically, the size of the riser pipe (the pipe immediately after the fire service check valve) is a better indication of the demand flow of the fire service. The District has determined that, in many cases, the size of the service connection has little correlation with the demand for that service line. The District proposes to charge for private fire protection service based upon the size of the riser pipe and not to assess or charge for sprinkler systems having a riser smaller than 2" in diameter.

The District does not propose to change its private fire protection rate of \$48.50 per inch of diameter and realizes a revenue loss will occur as a result of this change. The District has determined that the \$9,900 revenue loss is minimal and will not impair its ability to operate.

The effective date of the proposed Terms and Conditions was suspended for three months (from and including July 1, 2002) by Suspension Order No. 1, dated June 28, 2002, unless otherwise ordered.

DECISION

We have reviewed the District's filing. We find that the private fire protection rates proposed by the Kennebunk, Kennebunkport and Wells Water District are reasonable.

Accordingly, we

O R D E R

1. That Suspension Order #1, issued June 28, 2002, is hereby lifted.
2. That the Kennebunk, Kennebunkport and Wells Water District Private Fire Protection Service Rates, consisting of Sheet 3 – Third Revision and Sheet 3.1 - Original, filed on May 20, 2002 are approved to become effective for service rendered on and after July 9, 2002.

Dated at Augusta, Maine this 9th day of July 2002.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Nugent
Diamond

COMMISSIONERS ABSENT: Welch

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.